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1 EXCERPT OF PROCEEDINGS

2 Tuesday, May 1, 2018, at 10:21 a.m.

3
4 (Brief recess taken from 10:01 a.m.
5 to 10:21 a.m.)

6 (JURY IN)

7 THE COURT: First witness for the government.

8 MR. SWEET: Thank you, Your Honor. The United
9 States calls Karla Comstock.

10 MS. MAXFIELD: Your Honor, before we begin, may we
11 move to exclude witnesses?

12 THE COURT: Yes. Witnesses should be excluded, so
13 both sides.

14 I am just going to center the front row so you are
15 not behind either group there. Thank you.

16 Ms. Comstock if you step up to the witness stand to
17 my left. Step up the stairs, and remain standing for just a
18 moment and you will be sworn in.

19
20 KARLA COMSTOCK,

21 produced as a witness, having been first duly sworn,

22 was examined and testified as follows:

23 THE WITNESS: I do.

24 COURT CLERK: Please be seated. State your name for
25 the record, spelling the last.

1 THE WITNESS: Karla Comstock, C-O-M-S-T-O-C-K.
2

3 DIRECT EXAMINATION

4 BY MR. SWEET:

5 Q Good morning, Ms. Comstock.

6 A Good morning.

7 MR. WEINERMAN: Judge, we can't hear very well.

8 THE COURT: Ms. Comstock, that button in front of
9 you is a microphone. So sometimes if you put things in front
10 of it, it gets noisy. There's a screen to your left, and at
11 times different exhibits might pop up for you to look at.

12 We have a court reporter in front of you. She's
13 taking down everything we say, so sometimes we have to talk a
14 little slower and louder than you normally would.

15 Q BY MR. SWEET: Ms. Comstock, where do you live?

16 A Marble, Colorado.

17 Q What do you do there?

18 A I am a nanny.

19 Q Where did you spend most of your childhood?

20 A Coos Bay, Oregon.

21 Q How long did you stay at Coos Bay? At what age did you
22 leave?

23 A I left after high school, so around 18.

24 Q So, Ms. Comstock, do you know Daniel Johnson?

25 A Yes, I do.

1 Q Have you ever been to Cambodia?

2 A Yes, I have.

3 Q Did you stay at one of the orphanages in Cambodia with
4 Mr. Johnson?

5 A Yes, I did.

6 Q Can you please give the jurors a brief summary of how
7 you went from Coos Bay, Oregon to Cambodia?

8 A I, after high school, went to college. I ended up doing
9 some mission trips to Africa and Honduras, and fell in love
10 with third-world cultures. I spent several years searching
11 for a way to be involved overseas in different cultures, and
12 ended up joining an organization that allowed me to work in
13 countries such as Pakistan and Nepal, teaching English.

14 I then ended up not being able to work in Pakistan.
15 They didn't give us our visa, so I went to Thailand to teach
16 English and was encouraged and invited by my pastor in Oregon
17 to go and meet an organization in Cambodia ran by Daniel
18 Johnson and work with the kids for Christmas, and meet them
19 in 2011.

20 Q And Ms. Comstock, does your church play a large role in
21 your life?

22 A Yes.

23 Q And has your religion helped shape your decisions and
24 your conduct?

25 A Yes.

1 Q Could you -- let's talk a little bit more about how you
2 first -- when was the first time you met Mr. Johnson?

3 A Officially, he had actually come to Oregon and spoke at
4 the church, I think, in 2008 or 2009 before I went to
5 Pakistan. Briefly -- it was a momentary introduction, and
6 then I didn't realize that was the same guy that I would be
7 meeting when I went to Cambodia.

8 Q So before you went to Cambodia, you were in Thailand; is
9 that correct?

10 A Yes.

11 Q So let's talk about how you went, in a little more
12 detail, how you went from Thailand to Cambodia. What does
13 that look like, please?

14 A So I was just basically teaching English, trying to
15 reestablish whether I would be going back to Pakistan, what I
16 could do for my future. And I didn't have much of a plan at
17 that time. So when the pastor said that there was a team
18 from Oregon going to work in Cambodia, that I could go there,
19 maybe join them, meet these kids, possibly look into a future
20 of working in Cambodia, since I didn't know if I could go
21 back to Pakistan -- and I wasn't necessarily interested to
22 stay in Thailand. That was more of a waiting ground for me
23 to find out what I would be doing for my future.

24 Q And if we could pull up Government's Exhibit 273,
25 please, something should pop up for you.

1 THE COURT: We need Ms. Pew for that, I am sorry.

2 MR. SWEET: Hopefully this looks like a map.

3 Q BY MR. SWEET: Do you see that, Ms. Comstock?

4 A Yes.

5 Q Could you please just show us where you were? If you
6 point on that, if you touch that --

7 THE COURT: You can draw with your finger.

8 A JUROR: We can't see it.

9 THE COURT: Are you going to offer the exhibit into
10 evidence?

11 MR. SWEET: Yes, 273 was admitted.

12 THE COURT: You can draw on the map with your
13 finger.

14 THE WITNESS: I believe I was in Chiang Mai, which
15 is in the north.

16 Q BY MR. SWEET: And that's in Thailand?

17 A It's a mountain area of Thailand.

18 Q From Thailand you ended up going -- could you put your
19 finger on the whole country, too.

20 A To Cambodia.

21 Q And so why was it you wanted to -- you said Thailand
22 wasn't working out that well for you. Is there anything in
23 particular?

24 A I had been in a very remote area of Pakistan, not a lot
25 of electricity, very impoverished persons, and that was more

1 the people I felt my heart was towards. When I got to
2 Thailand, my students were amazing, the people I worked with
3 were amazing, but it was a wealthy environment and I didn't
4 feel that that would be where I wanted to spend a lot of my
5 years. So I was there, it was great, but I was looking to
6 see where God might take me.

7 Q So did Cambodia have some appeal for you?

8 A They were extremely impoverished, and extremely run
9 down. They need a lot. They didn't have much of a foot to
10 stand on. They are a very sweet culture, but I believe
11 because of the killing fields in Pol Pot, they didn't have
12 much going for them. There weren't a lot of highly educated
13 persons in their country to build them up, and become
14 something grand. So they are a very needy, hungry, wonderful
15 people to work for.

16 Q At that time, Ms. Comstock, were you single?

17 A Yes.

18 Q Did you know if Mr. Johnson was single?

19 A Yes.

20 Q Was that another factor in going to Cambodia?

21 A It was a potential curiosity, yes.

22 Q And is that something your pastor -- did people mention
23 that to you, that he was single?

24 A Yes, it was brought up to me as a, by the way, he's also
25 around your age and working with a ministry and is available.

1 Q So do you recall when you first went to Cambodia?

2 A Christmas -- December 25, 2011.

3 Q And let me show you Government's Exhibit 272, which was
4 admitted earlier this morning. And do you see anything on
5 your screen there?

6 A Yes.

7 Q And do you recognize 272?

8 A I believe that's the home they were living in when I
9 arrived for Christmas, 2011, yes.

10 Q And before going into some more details about that, how
11 many trips did you make to Cambodia over the next year or so?

12 A I ended up going three times in total.

13 Q Could you tell us how long each of those trips were?

14 A The first trip was three weeks, the second trip was six
15 weeks, and then I was able to go again for another three
16 weeks.

17 Q The first trip was Christmas of 2011. Approximately
18 when was the second trip?

19 A Around April, March and April I believe. And then the
20 third trip was in July.

21 Q And are those both 2012?

22 A Yes.

23 Q So what -- could you tell us please, what was it like at
24 the orphanage? You get to Cambodia. You get to the
25 orphanage. What was it like?

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1 A In the beginning it was amazingly energetic, chaotic. A
2 lot of laughter and smiles from the kids. Very busy. The
3 kids definitely loved foreign interaction, and were delighted
4 to be around us, and easy to get to know, easy to fall in
5 love with. They are just amazing kids.

6 Q And let's talk about some kids. I would like to show
7 you some photographs to make sure we're talking about the
8 same people.

9 MR. SWEET: Your Honor, these are a series of
10 photographs that counsel and the government have discussed,
11 and so I would like to run through these.

12 THE COURT: Go ahead.

13 MR. SWEET: The first is Exhibit 8, please.

14 Q BY MR. SWEET: I am going to ask if you recognize this
15 person?

16 A That's LS X.

17 Q And Exhibit 21?

18 A That's SO XXX.

19 Q And 29? And I am talking about the person on the left.

20 A That's CC X.

21 Q And 34?

22 A That's "ES XXX" or "ES XXX" and Daniel.

23 Q And 43?

24 A RT XX.

25 Q 50?

1 A PE XXXXXX is on the left, and Tola is on the left.

2 Q 57?

3 A LT XXXXXX.

4 Q 58?

5 A Heng and his brother SESX.

6 Q And 66?

7 A BT XXXXXX.

8 MR. SWEET: Thank you. And I believe those have all
9 been admitted. But to the extent not, we offer them so they
10 can be admitted.

11 (EXHIBIT 21, 29, 34, 43, 50, 57, 58,

12 66, OFFERED.)

13 THE COURT: Any objections?

14 MS. MAXFIELD: None.

15 THE COURT: They will be admitted.

16 (EXHIBIT 21, 29, 34, 43, 50, 57, 58,

17 66, RECEIVED.)

18 Q BY MR. SWEET: Do you know all the boys whose pictures
19 you identified?

20 A Yes.

21 Q Let's talk a little bit more. You are at the orphanage,
22 it's energetic. So what was your role?

23 A I came to see, observe, find out if there was a way I
24 could assist as just like side support.

25 I was given an opportunity to possibly help some of

1 the teams that came in that were short-term teams from
2 America to pick up whatever they needed, supply coffee. I
3 was given whatever random task needed to be done that was a
4 lot of -- there's a lot of things going on in ministries and
5 there wasn't a team, really. So basically whatever I could
6 do.

7 Q And did you enjoy it?

8 A Yeah. Yes, I did.

9 Q Did the boys -- can you talk a little bit about what a
10 typical day would look like for the boys? What is a typical
11 school day?

12 A They seem to be kind of just scrambling in the mornings
13 to get their breakfast, which would usually be a pot of
14 leftover rice from the night before. They would go to school
15 in groups. There was different times for the younger kids or
16 the older kids. They didn't have a bus or van or anything.
17 They would walk in small groups to school.

18 They come back, sometime in the afternoon, play a
19 little bit, do some chores, rest. We would have some dinner
20 together. Usually in the evening they would eat together in
21 a large group, and play. Just kind of all over the place. A
22 lot of different things happening. A little bit chaotic.

23 But some would be up in their rooms doing homework
24 or resting. But most would be down hanging out together.
25 That was when there wasn't a team around. There were

1 different teams there.

2 Q If you would estimate, roughly, how many boys were in
3 the boys' house?

4 A Around 25 -- there was about 35 total, but I think there
5 were five girls, so around 25 or 30 boys.

6 Q And was there -- you mentioned the girls, so can you
7 tell us briefly about the girls?

8 A There were about five of them, different ages from 5 to
9 13 or 14 at the time I was there. And they did have their
10 own little room and -- wonderful, wonderful girls.

11 Q When you were there, this is your first trip, if you had
12 to describe your impression of the children's mood, how did
13 the children seem to you?

14 A When I was there in the beginning, very happy to see us
15 and hang out with us. When there was a foreigner, very happy
16 during that first trip I noticed. That's pretty much all I
17 paid attention to the first time.

18 Q So you said you were there for about three weeks. Why
19 were you only there three weeks, and what did you do next?

20 A I was only there for three weeks, because I was an
21 English teacher. And I had -- in Thailand, and I had classes
22 to get back to. We were there for like a Christmas break
23 time that we didn't have to teach. So I needed to go back to
24 Thailand and teach some classes.

25 Q What did you do -- so you went back to Thailand, and

1 what led you back to a second trip?

2 A The country, the kids, just such -- so beautiful and
3 really -- excuse me. It was a ministry that I wanted to be
4 part of for those kids, and to -- there was a need, and I
5 knew I could fill it.

6 That's what I was looking for is a place that I
7 could dedicate my life to in any way I could. And there was
8 a lot of need there. And the kids didn't have a mother
9 figure. They were very drawn towards just having someone
10 around that was female, and that they could enjoy with, and
11 laugh with. And I wanted to be part of that.

12 Q And so let's talk a little bit about Mr. Johnson. Was
13 he there for your first trip?

14 A Yes.

15 Q Did you spend time with him?

16 A Yes.

17 Q And so what was Mr. Johnson like?

18 A In the beginning, charming, friendly, able to laugh
19 easily, and have fun with us, when he was with us. Busy,
20 very hectic, kind of coming and going a lot, and kind of just
21 seemed overwhelmed, telling a lot of -- just always giving
22 instructions for people to come, go, and do this, and do
23 that, and make arrangements for teams to come. But he was
24 friendly. He was charming with us in the beginning.

25 Q And was that throughout your first trip?

1 A Yeah.

2 Q And how was he with the boys for your first trip?

3 A When we were around as a group, when there was a team,
4 very friendly and -- but sort of so busy that he mostly was
5 just kind of barking orders to go do things. This needs to
6 be done, this needs to be done, this needs to be done. Not
7 really sitting and resting and relaxing with them, or having
8 too much fun with them. He would have fun with us as a team,
9 a group of people, but more or less sort of that -- just a
10 lot of things needing to get done that he was giving to them
11 to do, the older boys.

12 The younger boys I didn't, in the beginning, see a
13 whole lot of interaction with them during the daytime, in the
14 afternoons.

15 Q Did you see interaction in the evenings?

16 A A little bit, yeah, especially when the teams were
17 around. But when we had like worship services or something,
18 he wasn't usually there. He would take a lot of time off to
19 be in his room, or go on an errand, or go to a meeting.

20 I saw a little bit of interaction with the younger
21 kids, but it was, You guys need to go take a shower. You
22 need to do your homework. Those types of things.

23 Q Did you talk with Mr. Johnson -- at some point, did you
24 talk to Mr. Johnson about coming back for a second trip?

25 A Yes.

1 Q How did that go?

2 A He was fine with it, and said the kids looked forward to
3 seeing me, and was okay for me to come back as long as I
4 wanted. Just basically said, yeah, what's your dates, what's
5 your times, come on back.

6 Q So your second trip, approximately, when was that again,
7 please?

8 A In April.

9 Q And how long was the second trip?

10 A Six weeks.

11 Q So could you describe the second trip, and things you
12 noticed?

13 A I did notice a little bit of this in the beginning, but
14 the second time I noticed more of it. Teams were coming a
15 lot more, there's a lot heavier burden, it seemed, on getting
16 things done. A little more barking happening. Something I
17 saw is whenever the kids needed or had a problem, he would
18 puff himself up, and hold his fists, and like push out his
19 chest, and just glare, and basically like a little bit of a
20 threat or control issue happening with making sure the kids
21 got in line.

22 I would not even necessarily have noticed anything
23 had just happened, I didn't know what kid did what wrong.
24 That type of behavior started increasing. I started seeing
25 more of that. Noticed the kids weren't really interacting

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1 with him on a personal level, so not coming up and hugging or
2 loving on them, or them hugging and loving on him, like they
3 were with us when we would come.

4 It was more like a fear base. He would walk into a
5 room, and with me, they would be laughing and having a good
6 time. When he came in, he would be in whatever mood, and
7 they didn't know if he was going to be friendly or not, and
8 they would avert their eyes away from him. And even I
9 started doing it, too, because you didn't know what he was
10 going to do. He would be a little more sharp, upset about
11 something, yelling about something, frustrated about
12 something. I saw a lot more of that coming out and starting
13 to increase.

14 Q On this second trip, where were you staying?

15 A They had rented a girls' house by then that was down the
16 street a little bit, and I was staying at the top level in a
17 guest room.

18 Q And was anyone else there, other than you and the girls?

19 A Off and on teams were coming in, and we made another
20 room across the hall from me for the teams to stay in. So
21 they would be there for a week or so, like they would come
22 from around 10 or 11 days, and part of that time they would
23 stay there or go to a village.

24 Q So when you say team, does that mean -- what does that
25 mean?

1 A It's an American group of people, maybe 10, 15 people,
2 possibly or six people coming from somewhere in the US to
3 work with Daniel's ministry.

4 Q So let's go back to Mr. Johnson's moods. You mentioned
5 when he would walk in a room, looking for his mood. Why is
6 it that you would have to check and see what his mood was?

7 A It was unpredictable, and he would be -- when the teams
8 were around, a lot of friendliness, a lot of laid-backness,
9 and joking. But when they weren't around or about to come,
10 it was more intense. Just seemed really irritated and easily
11 angry, and would be harsh and quick to like, I need this,
12 where is this.

13 And everyone would be in the room, so we don't know
14 who he's talking to, or who needs to do what, but just jump.
15 And you'd stop what you are doing, jump, do this, do this,
16 get me this, where is this.

17 And we didn't know when he would walk into the room
18 if he would be laid back and able to talk to, or angry or
19 upset about something.

20 Q Let me ask you this. A lot of people get sharp under
21 stress, but a minute ago you turned your head to the side.
22 Could you describe in as much detail as you can, what the
23 boys' reaction would be when Mr. Johnson would walk into a
24 room.

25 A Something like that (indicating). The joking and

1 laughing with each other, having a good time, and he would
2 walk into the room and it was, Like don't look at him. It
3 was felt like everybody was doing, like don't look at him, so
4 we don't get attention from him because it wasn't going to be
5 a positive attention.

6 MS. MAXFIELD: I am going to object; much of the
7 testimony is based on speculation.

8 THE COURT: You can describe what you saw, but
9 please don't speculate what people may have been thinking.

10 THE WITNESS: I saw the laughter stop, the smiles
11 stop, the heads go down, trying to look busy or active
12 instead of just relaxed.

13 Q BY MR. SWEET: And you were reacting that way, as well?
14 A I began to, yes.

15 Q Ms. Comstock, have you been in various orphanages or
16 centers with children, other than Mr. Johnson's?

17 A A few, yes.

18 Q Have you seen similar reaction from children in other
19 type locations?

20 A No.

21 MS. MAXFIELD: Objection; relevance.

22 THE COURT: Overruled.

23 Q BY MR. SWEET: Ms. Comstock, the reaction you described
24 having when Mr. Johnson would walk into the room, is that a
25 reaction you typically have with people?

1 A No.

2 Q Have you encountered people who are strict or
3 strong-willed?

4 A Yes.

5 Q Do you have that reaction with these strict or
6 strong-willed people?

7 A No.

8 Q Could you talk, please, about -- let me ask you this.
9 Were there some boys who were Mr. Johnson's favorites?

10 A I would say so, yes.

11 Q And could you identify them, please?

12 A SO XXX, LS X, LT XXXXXX, Tola, BT XXXXXXXXXX.

13 Q What makes you say they were his favorites?

14 A He was warmer towards them. He gave them -- like they
15 were in a room at Christmas getting special gifts with him
16 that the other kids weren't there getting. I am not sure
17 why.

18 Kids were asked to be cleaning while he left. I was
19 responsible to go over to the boys' house and make sure they
20 were cleaning. He was in the village with the other team.
21 SO XXX was playing, or just sitting and reading his Bible.
22 And I said, "Why are you not cleaning?" "Well, I am reading
23 my Bible." And I said, "You still need to be cleaning. You
24 can do that later. That's great, but you still have to
25 clean."

1 And when Daniel came back he was told about this
2 interaction. And he said, "Why would you ask him to clean?
3 He was reading his Bible." And he, himself, had given me
4 strict orders to make sure all the kids were working to clean
5 up the house. "Yeah, it's great that he's reading his Bible,
6 but he still needs to be cleaning like the rest."

7 And there was an understanding S0 XXX had that he
8 didn't have to do things that others were doing.

9 MR. WEINERMAN: Objection to what S0 XXX was
10 thinking.

11 THE COURT: If you can go ahead and ask a question.

12 Q BY MR. SWEET: Was S0 XXX, based on your observations,
13 treated differently than --

14 A Yes.

15 Q I am sorry. One second.

16 Was he treated differently than many of the other
17 boys?

18 A Yes.

19 Q What are some -- so you gave a Bible example, what are
20 some other examples?

21 A The gifts that were given, and a warmth and friendliness
22 and closer connection than I saw with the others on a more
23 regular basis.

24 Q Were you friendly with S0 XXX?

25 A The same as the others, yes.

1 Q Did -- you talked about gifts. Could you elaborate,
2 please? How often did boys get gifts?

3 A I was there for Christmas, so everybody was getting
4 gifts at Christmas. But there were different levels of
5 gifts. Supposedly, from my understanding, coming from
6 supporters. Daniel had just been in America and was bringing
7 things back. For birthdays -- but some would be given really
8 amazingly nice things in comparison to others. Tola's
9 birthday he was given a really nice guitar, that type of
10 thing.

11 Q What about food? Was there a difference in who would
12 get special foods?

13 A I am not overly aware of that. I do know Daniel would
14 sometimes have food brought into his room, like KFC, which
15 the kids would be eating a group meal down below of like rice
16 soup, or something. He would have special food in his room,
17 and those boys were in his room with him. So I don't know if
18 they ate it or not.

19 Q Let's talk about boys in the room. You said "those boys
20 would be in his room." Could you specify which boys you are
21 talking about, generally?

22 A As far as I knew, the ones staying in the same room were
23 SO XXX, LT XXXXXXX, LS X and BT XXXXXXXXXXX.

24 Q And when you say staying, what do you mean by staying?

25 A They slept in that room.

1 Q How do you know that?

2 A When I'd come in the evenings, or go around the house to
3 help them clean, I knew approximately where different ones
4 were staying. They had multiple mattresses on the floor, and
5 the house was completely full. There was -- every room had
6 to have multiple people in them. And those boys were in that
7 room in the evenings, at nighttime.

8 Q When you say "that room," which room is that room?

9 A Daniel's room.

10 Q And would other boys routinely spend the night in
11 Mr. Johnson's room, or was it the ones you described,
12 generally?

13 A Not that I know of. Just the ones I described.

14 Q Was there a time when -- let's talk about, were there
15 things you saw that made you uncomfortable?

16 A Yes.

17 Q Can you describe one, please?

18 A One evening I went up to talk to him about something
19 happening the next day that I needed to get -- I don't know
20 the details of why I needed to speak with him, but I needed
21 to get some information. And he told me to just come up if
22 you ever need something.

23 So I knocked on the door of his bedroom and he said
24 come on in. And I opened up the door, and SO XXX and LT XXX
25 XXXX were sitting against the back wall on a mattress just in

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1 their underwear. Daniel was in his underwear, and LS X was
2 in his underwear.

3 And LS X was bent out, with his legs out, and his
4 back -- he's facing down on his legs. And Daniel was pressed
5 on top of him, full weight, like laying on him. And LS X was
6 kind of making like -- he was saying something in Khmer,
7 angrily. The boys were laughing, but uncomfortably laughing,
8 looking at me looking at Daniel.

9 And Daniel brushed it off, and got off and said they
10 were wrestling. And I had never seen wrestling like that.
11 It was just bizarre. And LS X was extremely mad and angry
12 and like reaching back and touching his back, like hurting
13 and in pain.

14 Q And obviously, you are in court here today, so things
15 may be viewed through a different prism, but at the time did
16 that bother you?

17 A Yes.

18 Q Did you ever write things down that bothered you?

19 A Yes, I did.

20 Q Approximately when did you write them down?

21 A Sometime in the middle of the second trip. I just had
22 enough little things starting to add up that I began to try
23 to evaluate whether I could even join this ministry, or be
24 around this. Some stuff was bothering me, so I started
25 writing down what I was seeing.

1 Q You described Mr. Johnson wearing boxers or underpants,
2 I don't recall which.

3 Was that the only time you saw him in skimpy
4 clothes?

5 A No. There was a variety of times, but even just around
6 the same time period, that day or the day before, I had
7 needed something. Again, went up, knocked on the door. He
8 was in the bathroom taking a shower. I was going to leave.
9 He said, "It's okay. Hold on, I am almost out." He came out
10 in a very tiny yellow towel, and he's not a small individual
11 at that time.

12 And he's completely naked, except for this little
13 towel. And he's like, "What do you need?" And I said,
14 "Okay. I will come back." And he said, "It's okay. We will
15 talk."

16 And he sat down on a bench, facing the kids,
17 spread-eagle, wearing a towel and I could see his thigh. And
18 I was averting my eyes, really uncomfortable. And he just,
19 "No, it's no problem."

20 So I sat down facing the same direction so I
21 couldn't see anything. But the boys were standing there, I
22 believe LS X, SO XXX, a couple of them -- I don't know who
23 else -- pointing and laughing at his middle section where the
24 towel was at. And he was just basically, completely exposed
25 in front of them. And I was very uncomfortable with that.

1 Q Was LS X's reaction to what he was seeing visible and
2 obvious?

3 A Yes.

4 Q Did Mr. Johnson attempt to change his position or
5 anything?

6 A No.

7 Q Did you talk to Mr. Johnson at some point about some of
8 his behavior?

9 A I attempted to, yes.

10 Q How did that go?

11 A I called him to do some private talk in an office. We
12 went up, and before I began even to explain what I was upset
13 with, he jumped into just saying, "I never knew I would be a
14 single man working in this country with all these kids. It's
15 really hard," buried his head, threw his notebook down,
16 started -- I don't know if he was crying or sobbing, but
17 really upset.

18 And I said -- I consoled him, I am really sorry it's
19 this hard. I know you have a lot of burdens on you. I am
20 not sure what you are talking about.

21 And he composed himself and said, Oh, well, what are
22 you talking about? Is it because of this? Well, this is
23 this, and that happened because of that, and then got upset
24 about something else that was unrelated to what I was going
25 to talk about.

1 Actually, I am trying to address the fact that you
2 are yelling at the kids, and I am very uncomfortable with the
3 extent to which you are yelling. And he says, I don't yell.
4 I am just strict.

5 I am very calm at this point, and I said, When you
6 are getting angry you are yelling full volume.

7 I'm not angry. I'm not yelling. These are drug
8 kids from the streets. I am trying to keep control of them
9 and be strict with them.

10 Q Let me ask you, was there -- were there jokes or
11 discussions made regarding sexual references to the children?

12 A I am not sure what you mean.

13 Q Was there words in Khmer used by Mr. Johnson to some of
14 the boys to describe them?

15 A Yes.

16 Q What was that?

17 A He would use the word "kathoey", which means -- because
18 of working in Thailand I understand that means lady-boy.

19 Q How did the boys react to that?

20 A The one being called that would get embarrassed or feel
21 ashamed, and the ones around that would hear it would laugh
22 and mock and tease that person.

23 Q So you are there for six weeks. What were your plans
24 initially when you went back for six weeks? Did you have a
25 goal in mind for what you were going to do?

1 A At that point I was seriously considering joining his
2 ministry as some sort of ministry team person. He went -- I
3 gave him the money and he went to the embassy office to get
4 me a one-year visa to stay in Cambodia to work long-term.
5 And we were considering that I would be joining his team.

6 Q Did you do that?

7 A No.

8 Q When did you decide not to do that?

9 A Towards the end of that trip I began to see enough red
10 flags that I went back to Thailand and did a lot of praying
11 and fasting and seeking counsel to find out if the problems I
12 was seeing were serious enough, and if I needed to
13 actually -- if I could go back or not. If it would be an
14 environment that would be healthy enough to go back to, and
15 it was determined at that point it was not.

16 Q Let me ask you a few things about some other people
17 there that we haven't spoken about earlier.

18 You mentioned BT XX, BT XXXXXX. Can you talk about
19 what his role was at the orphanage?

20 A I would call him Daniel's right-hand man. He was
21 responsible for doing whatever errands needed to be done, he
22 organized teams, picked them up from the airport. He would
23 get the groceries, everything. He was in charge of the kids.
24 He was in charge -- basically when Danny was absent, he was
25 in charge.

1 And even when Daniel was there, if Daniel wasn't
2 interacting directly with the kids, it would be BT XX's
3 responsibility to make sure people were doing what they
4 needed to be doing.

5 Q Does he speak English?

6 A Yes.

7 Q What about Pastor Sopheak?

8 A Pastor was -- seemed to be more of the religious side of
9 things. He was in charge of going to the villages, the
10 churches, and corresponding with the pastors and church
11 people there, and bringing teams to and from. And basically
12 he made sure the kids were doing a worship of some sort.

13 Q Were the children -- did the children like BT XX?

14 A Yeah.

15 Q What about Pastor Sopheak?

16 A They seemed to, yes.

17 Q We haven't talked -- I want to ask you one thing.

18 Massages, were massages a common occurrence when you were
19 there?

20 A Somewhat, yes.

21 Q Who was massaging who?

22 A On different occasions the kids would come down if a
23 team was there, and walk behind and do a little bit of a
24 massage on our shoulders. And Daniel explained they do it
25 with him, and he explained that he would give them a tip to

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1 do a massage so they could like contribute to teams, and that
2 was their way of helping out.

3 And then sometimes, like when we were at a church,
4 there was a net that we were all sleeping under. And one of
5 the kids was in giving Daniel a massage. He didn't have his
6 shirt on, and he was massaging him.

7 Q In terms of -- let me ask you this. Were there some
8 boys who left during your time there?

9 A Yes.

10 Q What did you notice about that?

11 A Different ages, a lot of them were really young. They
12 would be there one day having a great time, laughing,
13 everything seemed normal, I am getting to know them. And
14 then they would be gone the next day or that day. And I
15 would say, Where is so-and-so? They left. Different
16 reasons, maybe because they wanted to, or because --

17 MR. WEINERMAN: Calls for speculation.

18 THE COURT: Sustained.

19 Q BY MR. SWEET: Did you believe the boys were -- in terms
20 of their having shelter and food, were they in a good
21 situation at the orphanage?

22 A In the beginning, yes.

23 Q You mentioned a third trip, but yet you also said you
24 weren't going back to work. Would you explain that, please?

25 A I had known I was not going to join his ministry at that

1 point. I decided to go back to America to kind of regroup
2 and think about and pray about what was going to be next and
3 see my family.

4 And I Skyped with some of the kids to say I am not
5 coming back to work, but I couldn't explain to them why,
6 because of language barriers and not knowing how to explain
7 what I was saying to them. So they said before you go back
8 to America, can you please come see us.

9 MR. WEINERMAN: Objection to "they" without
10 specifying who she was talking to.

11 Q BY MR. SWEET: Who was it --

12 A The kids. Multiple kids.

13 Q Do you recall who it was?

14 A I think I Skyped with BT XXXXXXXXXXXX and the kids were
15 there with him in a big group.

16 Q And I believe you said they were asking you to come
17 back?

18 A Yes.

19 Q What did you decide to do?

20 A I said, Sure, I will try. So I arranged with Daniel --
21 he was in America, and I specifically wanted to go back while
22 he wasn't there so I could see the kids in a more relaxed
23 atmosphere, also find out if what I was seeing was
24 problematic. And I went back when he was in America for
25 three weeks in July.

1 Q And what did you notice, if anything, when you went
2 back?

3 A They were relaxed and happy. More than I had ever seen
4 them before.

5 Q They being --

6 A The kids, all of them.

7 Q I have a few more photos, Ms. Comstock.

8 MR. SWEET: Pull up 82, please.

9 Q BY MR. SWEET: And what does that show, please?

10 A It's not up. That was upon my arrival, that third time.

11 A JUROR: We don't have anything.

12 MR. SWEET: Your Honor, I am sorry, this is 82.

13 These are the ones we talked about with counsel, 82, 83, 84,
14 123 and 124, following five photos that we discussed with
15 counsel, and I don't believe there's any objection.

16 (EXHIBIT 82, 83, 84, 123, 124

17 OFFERED.)

18 MS. MAXFIELD: No.

19 THE COURT: They will be admitted. Thank you.

20 (EXHIBIT 82, 83, 84, 123, 124

21 RECEIVED.)

22 Q BY MR. SWEET: What are you seeing in this photo?

23 A I had just arrived my third time, and those were the
24 first ones that got to see me, the first of the kids when I
25 was in the room and I had just come from the airport.

1 Q And what is on the wall behind you?

2 A That's a mural that we painted while I was there, that I
3 helped the kids with. Daniel built the wall, and asked if I
4 would do a mural of some sort. And I had the kids draw
5 pictures, and from their pictures we designed a mural.

6 Q Let's look at 83, please, and what is this, please?

7 A That's one of my last nights there, saying goodbye.

8 Q Obviously, you were on the far left; is that correct?

9 A Yes.

10 Q Could you point out a few of the boys that you recognize
11 in this photo? Touch it, and it should -- touch a face.

12 A Do you want any specific one?

13 Q Anyone you would like.

14 A So LT XXXXXX --

15 Q Could you speak up just a little because you are away
16 from the mic?

17 A LT XXXXXX, Pong, LS X, Wattana, Samneang, Little D with
18 Rotna, BT XX. He was new. His name was Baptist. RT XX,
19 Heng, ES XXX, Tola, SO XXX, Ravy, Sambo, CC X, Sophal, Sean,
20 Pastor Sopheap, and the girls, Ongsa, Vesna, Julie, and this
21 little guy was Vanni.

22 Q I want to pull up one photo that I showed you earlier,
23 and that is pull up No. 34 again, please. Do you recall this
24 day?

25 A Yes.

1 Q Were you there?

2 A Yes.

3 Q Do you know if you took the photograph?

4 A I did.

5 Q Why is it that you recall this day?

6 A I had arrived, this was my second trip. They had the
7 girls' home. Daniel wanted to get a refrigerator and washing
8 machine, and some other things for the girls' home, and I had
9 said I would help out.

10 So we went to this mall and he had one of the older
11 men, named Heng, specifically go back and grab ES XXX to come
12 that day. And when he arrived he was extremely sad or
13 somber, wouldn't smile, looked very upset. And multiple
14 times throughout the day, or the hour, Daniel said, Aren't
15 you happy? You are here, this is a good thing. You get to
16 come here.

17 And he didn't really perk up or smile. So again, he
18 said, You need to get happy. And he didn't really perk up or
19 smile. We came down to have ice cream, and at that point
20 Daniel basically said, Get happy. And just like that he
21 flipped a switch, smiled real big, and acted extremely happy,
22 which was to see him so somber and then flip to be happy was
23 pretty impressive. I can't do that. But it was after he
24 commanded him to.

25 Q Was ES XXX generally a happy child when you were there?

1 A No, most of them were, but he was not. He was pretty
2 depressed acting --

3 MR. WEINERMAN: Objection to depression; lack of
4 qualifications.

5 MR. SWEET: Sad.

6 THE COURT: Overruled.

7 Q BY MR. SWEET: Let me ask you -- almost done,
8 Ms. Comstock. Did you -- you finished the third trip and
9 then what did you do?

10 A I had to go back to America, and I was ill at that time.
11 They found cancer, so I went home and went through chemo and
12 radiation treatments for a year, and was in Iowa with my
13 family.

14 Q At some point did you address your concerns with
15 Mr. Johnson?

16 A The night before my first chemo treatment, I felt like
17 God told me to release it. I had been praying and really
18 agonizing over who to talk to about what I was seeing, the
19 problems, but I did attempt to talk to one person. They
20 didn't really listen to me.

21 So the night before chemo I felt like I needed to
22 address it directly to Daniel, and I wrote him an e-mail
23 stating very specifically what I thought I had been seeing
24 and he needed to seek help, or that the ministry wasn't going
25 to -- should not be able to continue.

1 Q And was that before Mr. Johnson's arrest?

2 A Yes, it was.

3 Q And have you stayed in contact with many of the boys,
4 Ms. Comstock?

5 A Yes, I have. It's not been as frequent right now, but
6 yes, I was able to Skype with them while I had cancer and
7 talk with them and e-mail with them.

8 Q And are you still in contact with some of them until
9 this day?

10 A Yes.

11 MR. SWEET: Check one exhibit. Thank you,
12 Ms. Comstock.

13 I have no further questions, Your Honor.

14 MS. MAXFIELD: Thank you. Would the Court mind if I
15 examine from here?

16 THE COURT: Anywhere you like.

17

18 CROSS EXAMINATION

19 BY MS. MAXFIELD:

20 Q Good morning. I am Lisa Maxfield, and I am one of the
21 lawyers representing Mr. Johnson.

22 You testified that you had gone to Cambodia three
23 times; is that right?

24 A That is correct.

25 Q And the first time you went you believe was on Christmas

1 Day in 2011?

2 A Yes.

3 Q You stayed there about three weeks?

4 A Yes.

5 Q And left sometime around January 15th; is that right?

6 A I believe so.

7 Q And if you had Facebook exchanges with Mr. BT X on the
8 16th indicating you were gone, would that help you set the
9 dates?

10 A Yes.

11 Q When you arrived on that day, you did watch the kids
12 open their gifts?

13 A Yes.

14 Q Did you know how the children were funded within the
15 center?

16 A I knew there were supporters.

17 Q What occurred at that center was each child had its own
18 sponsor or supporter, and that sponsor or supporter would
19 provide the kid with gifts sometimes, clothing, and basically
20 care for that individual child; is that right?

21 A I believe so.

22 Q And so it's true that on Christmas of 2011 some sponsors
23 had sent child A certain gifts, and a different sponsor had
24 sent child B different gifts; is that right?

25 A As far as I know.

1 Q So as those gifts were doled out, they were doled out
2 and the child was told the gift was from the person in the
3 United States who sent it to them?

4 A I didn't hear the conversations of what they were told.
5 I didn't know.

6 Q But you did know that sponsor A didn't necessarily
7 provide the same level of support as sponsor B?

8 A I don't know.

9 Q Some sponsors had more money, and some sponsors were
10 more generous?

11 A I don't know.

12 Q You did know that that sort of sponsorship, or that sort
13 of love offering was something that happened voluntarily; is
14 that right?

15 A I would assume so.

16 Q So Mr. Johnson didn't really have control over the level
17 of sponsorship?

18 A I don't know.

19 Q He didn't have control over the extravagance of the
20 gift?

21 A I don't know.

22 Q But you made some assumptions anyway about whether he
23 was favoring one child over another child?

24 A Not based on that.

25 Q Now, during your first visit you testified that you had

1 gone there based on a suggestion of your pastor?

2 A Yes.

3 Q Your pastor in Coos Bay?

4 A Yes.

5 Q And that pastor had sent you as an assistant for a very
6 short period of time; is that right?

7 A He just asked me to be a presence.

8 Q And you were to be a presence for a team that was coming
9 from Coos Bay from an associated church?

10 A That was his hope.

11 Q And that team was only going to be there for a few days,
12 ten days?

13 A I believe so.

14 Q And that was the extent of your mission or your
15 requested mission to Cambodia the first time?

16 A No.

17 Q You weren't sent there -- when you went there you did
18 know that Mr. Johnson was the director of the center, or the
19 leader of the center?

20 A Yes.

21 Q You knew he was in a leadership role?

22 A Yes.

23 Q You did not go there expecting a leadership role?

24 A I didn't have an expectation.

25 Q But one expectation that you did have was that

1 Mr. Johnson was single?

2 A I knew he was.

3 Q And you were single?

4 A Yes.

5 Q And there was some hope that when you got there that you
6 could decide whether he was someone you were willing to date,
7 or even someone you were willing to marry?

8 A I was curious, yes.

9 Q But you didn't travel to Cambodia by yourself, is that
10 right, the first time?

11 A No, I did not.

12 Q Instead you traveled with another woman?

13 A I did.

14 Q And that woman's name was Mariah Nok (spelling); is that
15 right?

16 A Nok is what I called her, yes.

17 Q How long had you known Ms. Nok?

18 A A few weeks or months. I met her a couple months before
19 that.

20 Q Would you recognize her?

21 A Yes.

22 MS. MAXFIELD: Could I ask to show Defendant's
23 Exhibit 603, page 20, please.

24 This is the curse. So much for my tech skills.

25 Q BY MS. MAXFIELD: Can you see what is there on your

1 monitor?

2 A Yes, I can.

3 MS. MAXFIELD: And can the jury see it as well? Can
4 I ask it be published to the jury? It's been previously
5 admitted, Your Honor.

6 THE COURT: Yes.

7 Q BY MS. MAXFIELD: Can you see Ms. Nok in that
8 photograph?

9 A Yes, I can.

10 Q Where is she?

11 A (Indicating).

12 Q In the blue shirt?

13 A Yes.

14 Q Ms. Nok was a very pretty woman, isn't she?

15 A Yes.

16 Q Ms. Nok left the Hope Transition Center about a week
17 after she got there?

18 A I believe so, yes.

19 Q But you stayed behind?

20 A Yes.

21 Q Now, during this first visit there wasn't really room
22 for you to stay at the Center, correct?

23 A No.

24 Q So instead, you stayed at the Green House Hotel; is that
25 right?

1 A With Ms. Nok, yes.

2 Q And Mr. Johnson had made those arrangements for you?

3 A Yes.

4 Q And after Ms. Nok left, did you leave the Green House
5 Hotel or stay there?

6 A I stayed there.

7 Q So at the end of the first visit, it sounds as though
8 you just noticed happy children, a lot of enthusiasm, a lot
9 of good energy?

10 A Mostly.

11 Q And perhaps some gifts that you thought were uneven?

12 A Somewhat, yes.

13 Q You went back to the Hope Transition Center again in --
14 like a few weeks later, is that right, in March or April of
15 2012?

16 A About six weeks later.

17 Q If Facebook records would suggest that you were there
18 between March 12th of 2012 and April 26th of 2012, would you
19 quarrel with that?

20 A It would be around that, yes.

21 Q So you arrived on the 12th, and you left Cambodia on
22 April 26th, the second time?

23 A I believe so.

24 Q Now, you went to Cambodia the second time to assist
25 Mr. Johnson?

1 A Yes.

2 Q And again, you did not believe you were going there in
3 any sort of leadership role?

4 A Not at that time.

5 Q And when you returned the second time, you did not know
6 that Mr. Johnson and Mariah Nok had secretly been
7 communicating?

8 A I knew they were friends, we were all friends.

9 Q During the second visit the accommodations had changed,
10 and now there was a place for you to stay; is that right?

11 A That is correct.

12 Q And that would have been in the girls' room?

13 A Yes.

14 Q And you stayed there with, you said, five girls?

15 A I believe there were between five and 10 at that time,
16 but they were possibly getting more.

17 Q And who else was staying in the girls' -- were there any
18 boys staying in the girls' home?

19 A There were two boys staying in the middle level, PE XXX
20 XXX and BT XXXXXXXXXX.

21 Q Because we're going to get confused down the road, is
22 that the same as BT XXXXXXXX?

23 A Yes, BT XXXXXXXX.

24 Q Now, you said Mr. Johnson slept in the boys' room --
25 slept in the boys' building?

1 A He was in the boys' house, yes.

2 Q And he had a bedroom, and there were several boys who
3 stayed in that bedroom, as well?

4 A Yes.

5 Q And I think when you took your contemporary notes you
6 thought there were as many as four or five boys who stayed in
7 that bedroom?

8 A I don't remember.

9 Q You did know that that bedroom seemed to you to be some
10 sort of a hang-out room?

11 A Not for everyone, no.

12 Q Well, when you would go there, there would be often
13 several boys in the room?

14 A A few, yes.

15 Q Now, the TV room at this next building, it was a
16 communal room?

17 A In which building?

18 Q During your second visit, in the boys' building, there
19 was a television room that was separate from anyone's
20 bedroom; is that right?

21 A Yes.

22 Q And at that time, at least, there was no projector set
23 up in Mr. Johnson's room?

24 A Not that I know of.

25 Q So if Mr. Johnson watched movies in that bedroom, he did

1 it on his computer?

2 A I don't know.

3 Q But as far as you knew, when people wanted to watch
4 movies, that took place in a communal television room?

5 A I didn't observe them watching very many movies in that
6 house. I don't know.

7 Q Now, sometime during this second visit, did you learn
8 that Mr. Johnson was beginning a relationship with Mariah
9 Nok?

10 A Not that I knew of.

11 Q Pardon?

12 A Not that I knew of.

13 Q You didn't know?

14 A No.

15 Q Not at any time during the second visit?

16 A No.

17 Q At some point during the second visit, though, you did
18 keep a journal of things that Daniel Johnson did that kind of
19 made you mad?

20 A Yes.

21 Q And you later told the FBI you called that your red flag
22 memo, the red flags that you had seen?

23 A Sure.

24 Q And the red flags that you seen, one of the things that
25 really made you mad was that Daniel Johnson had the sub

1 woofer in his vehicle turned up too loud. In fact, that was
2 the first thing that made you mad?

3 A I don't know if it was the first thing.

4 Q What was the first thing you wrote down?

5 A I don't know what I first wrote down, but I don't know
6 if that was the first thing that made me mad.

7 Q You were upset that his sub woofer was overly loud, and
8 set at an uncomfortable level?

9 A That wasn't what made me upset.

10 Q You complained to him and asked him to turn it down?

11 A I said it was -- Do you like listening to it this loud?
12 And he slammed it off, instead of talking with me about it.

13 Q So you didn't like the fact that he just turned it off
14 and gave you the silent treatment, and instead would not
15 engage you about your preferred volume for the sub woofer?

16 A His action was extreme.

17 Q Pardon?

18 A His action felt extreme to me.

19 Q And that extremity was him turning off the stereo and
20 not talking to you anymore?

21 A He slammed it off when I simply asked him, do you really
22 like it this loud.

23 Q Now, your second complaint, or your second red flag was
24 that he regularly makes very fast and decisive decisions
25 about everything?

1 A That was something I did notice.

2 Q You were upset that he was very opinionated about how
3 things should be done?

4 A I believe I wrote more.

5 Q You were upset because when the boys drank all the water
6 in the girls' water cooler, that he asked the boys not to do
7 that?

8 A Again, I believe I wrote more than that.

9 Q I am just talking about subject areas. That would be
10 the subject that you wrote; is that right?

11 A Yes.

12 Q And then there was a day that you wanted to go to the
13 zoo, and Mr. Johnson didn't want to go to the zoo and you
14 wrote about that?

15 A I did write about that, yes.

16 Q When he finally relented and said we could go to the
17 zoo, you didn't like the attitude he had, either en route or
18 when you got there?

19 A He became angry when we finally did go.

20 Q He was grumpy?

21 A I don't know his direct --

22 Q This is one of the red flags that you noted when you
23 started to write down the things that made you mad?

24 A Yes.

25 Q You said that he would constantly get upset with the

1 kids for not doing what he wants them to do?

2 A True.

3 Q You said that sometimes when he was mad at the kids,
4 that he would make a muscle man pose and glare at the kids?

5 A Yes.

6 Q There was a time when the water tank in your bedroom
7 overflowed?

8 A It did.

9 Q And you were upset because he was angry at you for not
10 telling him quickly enough?

11 A He didn't run up to find it, I did. He was mad I didn't
12 shout down the hall at him instead of running back down to
13 tell him it was happening.

14 Q You didn't like his recordkeeping?

15 A I'm sorry?

16 Q You didn't like the way he kept records?

17 A I didn't see him keep records.

18 Q Did you notice that in your parade of horribles, one of
19 the things was his recordkeeping was chaotic?

20 A That he didn't keep records.

21 Q So that was something you listed, as well?

22 A It was a concern.

23 Q And you also listed that he ran the place as if he were
24 a king?

25 A Yes.

1 Q That bothered you?

2 A Yes.

3 Q You spent, single-space, six pages of documentation of
4 red flags; is that right?

5 A I don't know how many pages.

6 Q Not once did you make even a peep about any kind of
7 inappropriate touch?

8 A I believe I did -- no, you are right.

9 Q You did not?

10 A That is correct.

11 Q Now, you talked about these massages and you said that
12 the kids would give Mr. Johnson massages?

13 A Yes.

14 Q He was open about that?

15 A Yes.

16 Q The kids would give these church teams who came to
17 visit, massages?

18 A Yes.

19 Q Did a kid ever give you a massage?

20 A Yes.

21 Q That was part of the Cambodian culture, was it not?

22 A I don't know.

23 Q Other things that you complained about was that when --
24 let me back up a little bit.

25 When we would have -- we had two things going on at

1 the same time. Mr. Johnson was doing ministry work or
2 helping to build some things for rural communities, churches,
3 wells, things like that, outside of the center; is that
4 right?

5 A As far as I knew, yes.

6 Q So what would happen is different church teams would
7 contact Mr. Johnson and ask if they could assist on this
8 project or that project?

9 A I believe so.

10 Q And these teams would come for anywhere between 10 days
11 and two weeks and help out on different projects?

12 A That's what it looked like, yes.

13 Q Mr. Johnson asked you to stay behind with the children
14 while he went out with the teams?

15 A Most of the time.

16 Q And that's one of the things that you complained about
17 was that these teams would leave and work on these projects
18 instead of staying at the center to play with the children;
19 is that right?

20 A I don't believe that was a complaint.

21 Q During the second trip at some point you refocused your
22 romantic attention to Pastor Sopheak; is that right?

23 A Not that I know of.

24 Q That did happen very soon, either during the second trip
25 or very soon thereafter?

1 A I don't believe so, no.

2 Q Was there a time that you made dinner for Pastor Sopheak
3 and got upset because he didn't like the dinner you had made?

4 A I made dinner for all of them, everyone.

5 Q Uh-huh.

6 A I don't remember him saying if he liked it or not.

7 Q Sometime after that second visit you were communicating
8 with BT XXXXXX on Facebook?

9 A That is right.

10 Q And one of the sad news that BT XXXXXX had to share
11 with you was that Pastor Sopheak was looking for -- or maybe
12 you shared with him, that Pastor Sopheak was looking for a
13 younger wife or a younger bride, and that that had hurt your
14 feelings?

15 A I don't believe it hurt my feelings.

16 Q But you actually noticed that you were no longer within
17 his preferred group of potential spouses?

18 A I did not look to him as a potential spouse.

19 Q You made your second visit in April of 2012?

20 A Yes.

21 Q And was it your testimony that between April and your
22 third visit, that you did not want to go back to the center
23 because you knew that Mr. Johnson was there, and you wanted
24 to avoid him?

25 A Can you repeat the first part of that?

1 Q Was it your testimony that after you left the second
2 time, and before you came back the third time, that you did
3 not want to visit the center as long as Daniel Johnson was
4 going to be at the center?

5 A I was happy he was not going to be there.

6 Q It's also true, though, that before July of 2012 when
7 you returned for the third visit that you were in contact
8 with Mr. Johnson, and trying to arrange for that third visit?

9 A Originally, we had talked about if I was going to come
10 back. I was still debating whether that was going to happen
11 or not.

12 Q It wasn't really a debate, was it?

13 A It was.

14 Q In May of 2012 you were in contact with Mr. BT X, BT XXX
15 XXXX, regarding whether you would return, and he wrote and
16 asked whether you would be coming soon.

17 Do you remember telling him that you had attempted
18 to negotiate with Mr. Johnson to return to the center, but
19 that he had a very strong reaction, not good, to your return?

20 A About coming back with a team.

21 Q He did not want you to return.

22 A With a team.

23 Q But you had been willing to return, even with him there?

24 A At that point, if I had another team with me, and he
25 didn't want the team to come with me --

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1 Q You made an assumption about which part he wanted there,
2 and which part he did not; is that right?

3 A He told me in an e-mail that he was uncomfortable with
4 the other group.

5 Q He didn't tell you that he had a very strong reaction to
6 you, personally?

7 A Not at that time.

8 Q So when you returned in July of 2012, the reason you
9 were able to return is because Mr. Johnson didn't care if you
10 were at the center as long he wasn't there?

11 A I don't know his reason, but he said it was okay for me
12 to go.

13 Q It is fair to say that you and Mr. Johnson butted heads?

14 A Not openly.

15 Q Well, you had some ideas about how he should run his
16 center?

17 A I have ideas how anyone should be running anything that
18 is ministry-based.

19 Q He did not believe that you were the appropriate person
20 to give him counsel?

21 A I don't know what he believed.

22 Q He told you he didn't believe that you were the
23 appropriate person to give him counsel, and that, in fact, he
24 had other people that he relied on for input and counsel?

25 A I believe he said that after November when I was back in

1 the US, and told him what I felt was wrong.

2 Q You said that during the time that you were there, that
3 Mr. Johnson was -- in the beginning, you noticed it was just
4 chaotic and that he had many, many tasks to complete?

5 A Yes.

6 Q He was trying to arrange these church teams to go out
7 into the rural areas to build churches, to dig wells, and
8 things like that?

9 A Sure.

10 Q And he had all of these kids that were now living in his
11 center?

12 A Yes.

13 Q You said that he was frustrated by this child care
14 responsibility?

15 A I don't know. He was frustrated, yes.

16 Q This conversation that the two of you had where he told
17 you he was frustrated because he was a single man who had
18 been burdened with the care of all these kids, you actually
19 had a conversation about that, right?

20 A He didn't use the word frustrated.

21 Q What word did he use?

22 A He just said he never expected to be a single man living
23 in Cambodia with all of these children.

24 Q And you didn't take from that that he was frustrated?

25 A He was sad, acting upset or burdened.

1 Q You had taken a photograph of ES XXX having the ice
2 cream?

3 A Yes.

4 Q Who was on that trip?

5 A Heng.

6 Q So you, Mr. Johnson, Heng, and ES XXX?

7 A Yes.

8 Q And you had gone out to get appliances for the girls'
9 room?

10 A Yes.

11 Q And Mr. Johnson went back and said, let's take ES XXX,
12 too?

13 A He told Heng to pick him up, and bring him.

14 Q So during the trip ES XXX seemed sad?

15 A He was not responding in a smiling way at all to
16 anything.

17 Q And Mr. Johnson kept telling him to smile and cheer up?

18 A Yes. Yes.

19 Q And when they were having ice cream, he told him he
20 should smile because he was having ice cream?

21 A He demanded it.

22 Q And this bothered you so much that you took a picture of
23 ES XXX having ice cream?

24 A I don't know why I took the picture.

25 Q Did you take any pictures of ES XXX grumpy and sad, if

1 you were that bothered?

2 A I didn't specifically look at taking pictures when they
3 were happy or sad.

4 MS. MAXFIELD: Thank you. No further questions.

5 THE COURT: Redirect.

6 MR. SWEET: Thank you.

7

8 REDIRECT EXAMINATION

9 BY MR. SWEET:

10 Q Ms. Comstock, counsel described to you "a parade of
11 horribles" that you wrote.

12 Let me ask you, Ms. Comstock, do you typically write
13 letters about other people to yourself titled, What Things
14 About Daniel Bothered Me And My Reaction?

15 A Not often, no.

16 Q The list of things that were discussed, I believe there
17 were some that were left out.

18 Do you recall if your letter said, He slept in the
19 same room with 4-5 of the kids. LS X, LT XXXXXXX, SO XXX,
20 and BT XX, I believe.

21 A Yes.

22 Q Do you recall if you were also concerned about him
23 yelling at LS X and ES XXX's mom, kicking her out, and he
24 kicked her out to the streets, unconcerned?

25 A Yes.

1 Q Did that upset you?

2 A Yes.

3 Q Did it upset you that Mr. Johnson yelled at her, He told
4 me he could understand why her husband would beat her. And
5 that if he had to live with a woman like that, it would drive
6 him to drink and he'd likely beat her, too?

7 A Yes.

8 Q Did that bother you?

9 A Yes.

10 Q I believe the phrase was, not a peep was said by you
11 regarding any inappropriate behavior. Yet there's something
12 you wrote, and the way you wrote it, that I would like to ask
13 you about.

14 And when you described the incident that you have
15 talked about earlier with the wrestling, ask me if this
16 sounds correct: "I knocked on the door one day and he said
17 to come in. But when I opened the door I saw they were all
18 in their underwear. SO XXX and LT XXXXXXX were watching as
19 Daniel had LS X bent in half, and he was laying almost his
20 full weight on top of him. It looked very odd. Daniel
21 didn't even flinch when he saw me, and kept doing it until
22 LS X yelled in pain to get off. Then Daniel made it seem
23 like a joke, making fun of him. Said they were wrestling or
24 something like that."

25 This is the part I am curious about. You wrote, "It

1 made sense they were in their underwear because of the
2 extreme heat and humidity," but then you put dot, dot, dot,
3 dot, as if you were questioning it.

4 Were you questioning whether that made sense to you?

5 A Yes.

6 Q So did you have concern -- let me ask you this. Is it
7 the water tank overflowing that upset you, or is it more than
8 that?

9 A It's more than that.

10 Q Why is it that you wrote a letter that details multiple
11 things? What is it that led you to come to this?

12 A I have never been in a ministry where directors acted in
13 such a way, and I began to make note that it wasn't a
14 one-time thing. It was increasing, multiple concerns, things
15 that were not -- at first I could dismiss, but then I started
16 taking note. Why am I having so many moments of red flags
17 with this man? So I began to document them, because my brain
18 was noticing a pattern.

19 Q Counsel asked you about other people getting massages.
20 So let me ask you this: were the team members who were
21 getting massages from the kids, were they also in bed with
22 their shirt off, having the kids massage them?

23 A No, never, that I saw.

24 Q Was Mr. Johnson the only one you saw in that type of
25 situation?

1 A Yes.

2 Q And then one more question. On cross you were asked
3 about Ms. Nok, and essentially whether that made you upset.

4 Are you testifying here today because you are upset
5 that Mr. Johnson dated Ms. Nok, and not you?

6 A No.

7 Q Why are you testifying here today? What is driving your
8 testimony?

9 A I love those kids, and I want to see justice. And I saw
10 wrong things happening.

11 MR. SWEET: Thank you. Nothing further.

12 THE COURT: Thank you, ma'am. You are free to step
13 down. So my thought is break right now for our lunch. I
14 have a doctor's appointment that they are going to hopefully
15 fix my throat.

16 So we're going to break now. We will be on break
17 until 1:15. We need you in the jury room at 1:15 so we can
18 start up then, so we will be in recess until 1:15.

19 (Morning session concluded at
20 11:40 a.m.)

21

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23

24

25

1 STATE OF OREGON)

2)ss

3 COUNTY OF YAMHILL)

4

5 I, Deborah L. Cook, RPR, Certified Shorthand
6 Reporter in and for the State of Oregon, hereby certify that
7 at said time and place I reported in stenotype all testimony
8 adduced and other oral proceedings had in the foregoing
9 hearing; that thereafter my notes were transcribed by
10 computer-aided transcription by me personally; and that the
11 foregoing transcript contains a full, true and correct record
12 of such testimony adduced and other oral proceedings had, and
13 of the whole thereof.

14 Witness my hand and seal at Dundee, Oregon, this
15 1st day of May, 2018.

16
17
18 DEBORAH L. COOK, RPR
19 Certified Shorthand Reporter
OREGON CSR #04-0389
CALIFORNIA CSR #12886
WASHINGTON CSR #2992
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